

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FILED ON: 10/3/2023 INDEX NO.: 23-cv-07229-ARR-JRC

SILVIA MARTINEZ, on behalf of herself and all others similarly situated

Plaintiff(s)-Petitioner(s)

-vs-

ANNIE'S BLUE RIBBON GENERAL STORE, LLC

Defendant(s)-Respondent(s)

STATE OF NEW YORK }
COUNTY OF SARATOGA ss.}

I, Mark McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding and resides in the State of New York.

On OCTOBER 20, 2023 at 12:45 P.M.
Deponent served a true copy of **SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL**

bearing index number: 23-cv-07229-ARR-JRC and date of filing: 10/3/2023
upon **ANNIE'S BLUE RIBBON GENERAL STORE, LLC**
at address: **SECRETARY OF STATE, 99 WASHINGTON AVENUE**
city and state: **ALBANY, NY 12231-0001**

MANNER OF SERVICE

Personal

- ☐ By delivering to and leaving with personally known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

- ☐ By delivering and leaving with personally at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

- ☒ By delivering and leaving 2 copies with **NANCY DOUGHERTY** the agent for service on the person in this proceeding designated under rule 303 LLC and tendering the required fee. Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

- ☐ By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

Mailing

- ☐ Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by first class mail certified mail registered mail return receipt requested. Certified/Registered mail #

DESCRIPTION deponent describes the person actually served as:

Sex: FEMALE Race/Skin Color: WHITE
Approximate Age: 60 years Approximate Height: 5'4"
Other:

Hair Color: BROWN
Approximate Weight: 125 pounds

Subscribed and sworn before me on } OCTOBER 20, 2023

Notary Public, State of New York
Karen E. Rock
Qualified in Schenectady County
Number 01R06065213
Expires: October 9, 2025

STEIN SAKS, PLLC.
One University Plaza, Suite 620
Hackensack, New Jersey 07601
(201) 282-6500

Mark McClosky
Deponent

NLS #: 275512

FIRM FILE # 582209

Affidavit #: 23-8566